

**Remarks/Arguments:**

With the present response, claims 55, 56, 61, 62, 65-77, and 81-89 are pending. Claims 82-84 and 89 are withdrawn from consideration.

**Claim rejections**

**Claim rejections under 35 U.S.C. §102**

Claims 55, 56, 61, 62, 65, 67, 72-77, 81, and 85-88 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,037,427 to Harada et al. ("Harada"). Of the rejected claims, claims 55, 65, 72, 81, 85, and 87 are independent.

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989) and M.P.E.P. §2131.

Claim 55 recites, *inter alia*, a stabilizer having an inner core and *one or more protuberances that protrude from the inner core*, wherein the one or more radial protuberances comprise at least one or more rings. Amended claim 65 recites, *inter alia*, a stabilizer having an inner core and *one or more rings extending radially outwardly from the inner core*. Claim 72 recites, *inter alia*, a stabilizer having an inner core and *one or more protuberances that protrude from the inner core*, wherein the one or more radial protuberances comprise at least one or more rings. Amended claim 81 recites, *inter alia*, a stabilizer comprising *rings extending radially outwardly from an outer surface of the stabilizer*. Claim 85 recites, *inter alia*, a stabilizer having an inner core and *at least one distal protuberance protruding from the inner core*. Claim 87 recites, *inter alia*, a stabilizer having an inner core and *at least one member protruding from the inner core*.

By way of example only, exemplary devices according to the claimed invention are illustrated in application FIGS. 2B and 3A-3C, which disclose an inner core 32 and a plurality of rings, or protuberances, 38 in a stent-underlying portion that protrude or extend radially outwardly from inner core 32. In other words, inner core 32 has a first diameter, and rings 38 have a second diameter, larger than the first diameter.

Harada, on the other hand, discloses a catheter 12 for introducing a stent 10 into a tubular organ of a body. Harada, Col. 3, lines 51-53. The catheter 12 comprises a catheter tube 14. *Id.*, at lines 53-54. A number of side holes are formed through the wall of the tube near the distal end of the catheter tube 14. *Id.*, at lines 60-62. A side view of Harada's catheter 12 is illustrated below.

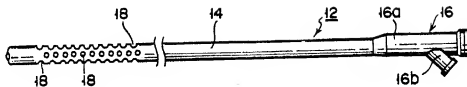


FIG. 5

The Office Action alleges that Harada discloses "[t]he one or more member protuberances are considered the areas of tube 14 that are disposed between the holes (18) in the tube." Office Action, page 2, para. 3. While it may appear at first view that Harada may disclose one or more protuberances, as alleged in the Office Action, it must be taken into consideration that the catheter illustrated in FIG. 5 (above) is a two-dimensional representation of a three-dimensional tube, and that the portions of the tube in between holes 18 are not protuberances, but are in fact just the wall of the tube 14 *that do not protrude any farther than the wall of the tube 14*. The term "protuberance" means "a part or thing that protrudes; projection" and "protrude" means "to thrust or jut out; project." Webster's New World College Dictionary, Third Edition, 1997. The Office is not entitled to define the term "protuberance" contrary to its common definition by characterizing the non-perforated portions of a perforated tube as protuberances, when such portions do not jut out or project from the tube.

Applicants respectfully submit that the tube 14 is a cylindrical structure, with no portion of the tube extending radially outwardly from another portion of the wall of the tube. No portion of the catheter underlying Harada's stent 10 includes a portion having a larger diameter than that of tube 14. Consequently, no part of the tube includes protuberances (as recited in claims 55, 72, and 85), rings (as recited in claims 65 and 81), or a member *protruding from the inner core* (as recited in claim 87). Further, Harada fails to disclose or suggest any *rings that protrude or extend from the inner core*, as is recited in each of claims 55, 65, 72, and 81.

Because Harada fails to disclose or suggest all of the features of claim 55, amended claim 65, claim 72, amended claim 81, and claims 85 and 87, Applicants respectfully submit that the rejection of independent claims 55, 65, 72, 81, 85, and 87 is improper. Claims 56, 61, and 62 depend from claim 55; claim 67 depends from claim 65; claims 73-77 ultimately depend from claim 72; claim 86 depends from claim 85; and claim 88 depends from claim 87. Claims 56, 61, 62, 67, 73-77, 86, and 88 are all allowable over Harada for at least the same reasons set forth above with respect to independent claims 55, 65, 72, 85, and 87. Applicants

respectfully request reconsideration and allowance of claims 55, 56, 61, 62, 65, 67, 72-77, 81, and 85-88.

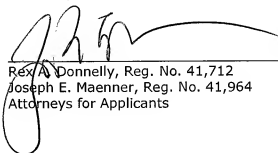
**Claim rejections under 35 U.S.C. §103**

Claim 66 stands rejected under 35 U.S.C. §103(a) as unpatentable over Harada in view of U.S. Patent No. 5,480,423 to Ravenscroft et al. Claim 66 depends from claim 65 and is allowable over the applied references for at least the same reasons set forth above with respect to claim 65. Claims 68-71 stand rejected under 35 U.S.C. §103(a) as unpatentable over Harada. Claims 68-71 ultimately depend from claim 65 and are allowable over Harada for at least the same reasons set forth above with respect to claim 65. Applicants respectfully request reconsideration and allowance of claims 66 and 68-71.

**Conclusion**

In light of the above amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration and allowance of the claims.

Respectfully submitted,



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